

**STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE
BEFORE THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS**

IN THE MATTER OF:

KRISTEN R. VANCE, DVM
LICENSE NO. 6080

HOMEWARD BOUND MOBILE VETERINARY
SERVICES
HOSPITAL LICENSE NO. 12-00338

DOCKET NO. 22-73

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order (“Order”), dated this 8th day of April, 2022, is issued by the Maryland State Board of Veterinary Medical Examiners (“Board” or “SBVME”) against Kristen R. Vance, DVM (“Dr. Vance”), License No. 6080, the responsible veterinarian at the mobile veterinary hospital known as Homeward Bound Mobile Veterinary Services (License No. 12-00338)(“Hospital”), located at 305 S. Atwood Drive, Bel Air, MD 21015.

This Order confirms Dr. Vance’s agreement to resolve Docket No. 22-73 without the issuance of formal charges. By mailing a check for \$600 which was received by the Board on April 9, 2022, Dr. Vance accepted the terms and conditions set forth in this Civil Penalty Final Order, including the findings that she violated the Maryland Veterinary Practice Act, Md. Code Ann., Agric. §§ 2-301 - 2-316 (“Veterinary Practice Act”) and related Code of Maryland Regulations (“COMAR”) 15.14.01 – 15.14.17. Before agreeing to this Order, Dr. Vance was advised in writing regarding the due process rights available to her, including the right to receive formal notice of charges, request a hearing, retain legal counsel, and all other rights as set forth in Agric. § 2-311.

Under State law, the Board is the licensing authority responsible for regulating the practice of veterinary medicine in this State, which includes filing disciplinary actions against veterinarians charged with violating provisions of the Veterinary Practice Act and related COMAR regulations. As part of its authority, the Board “may refuse, suspend, or revoke any application or license, and censure or place on probation any licensee . . . if the veterinarian or veterinary practitioner . . . [f]ails to comply with Board rules and regulations after receiving a

license[.]” Md. Code Ann., Agric. § 2-310(8). In addition, the Board may impose a civil penalty of not more than \$5,000 for a first offense, or \$10,000 for a second or subsequent offense in lieu of or in addition to suspending or revoking a veterinarian’s license, respectively. Agric. § 2-310.1. In setting the amount of a civil penalty, the Board shall consider the severity of these violations, the good faith of the violator, and the history of prior violations, as well as the Board’s civil penalty standards. Md. Code Ann., State Gov’t, § 10-1001(b); COMAR 15.14.11 (Civil Penalty Standards for Veterinarians).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Vance, after having the opportunity to seek the advice of legal counsel, voluntarily waived her right to formal charges and a hearing and agreed to pay the total civil penalty of \$600. In so doing, Dr. Vance acknowledged that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that she violated COMAR 15.14.01.12C-3C (Expired Medications) and COMAR 15.14.01.10A (Record Keeping) as the responsible veterinarian at the Hospital as follows:

1. At all times relevant to this charge, Dr. Vance was a veterinarian licensed to practice in Maryland, where she has been licensed since 2006. Dr. Vance is the responsible veterinarian at the Hospital. Neither Dr. Vance nor the Hospital have a history of expired medication violations.
2. On December 20, 2021, during a routine inspection of the Hospital, Board inspector Ellen James (“Ms. James”) found eleven expired drugs, including eight expired rabies vaccines.
4. Ms. James prepared a Veterinary Hospital Inspection Report reflecting her findings on December 20, 2021 and issued a COMAR Violation Sheet reflecting the expired medication violations identified.
5. Upon examination of the rabies certificates for patients vaccinated by Dr. Vance, Ms. James found that Dr. Vance administered six expired rabies vaccines to her patients. Based on the manufacturer’s recommendation, all animals vaccinated needed to be revaccinated at least 14 days after the expired vaccination was issued. Dr. Vance, at Ms. James’ request, contacted the clients to arrange for these patients to be re-vaccinated. Five of the patients were revaccinated at no cost. The owner of the sixth patient declined revaccination.
6. Ms. James also found that rabies vaccination certificates for those six patients had not been completed properly, in that they lacked the lot number and expiration dates for the vaccines administered.

7. COMAR 15.14.01.12-3A prohibits veterinarians from administering expired medications to an animal. COMAR 15.14.01.12-3C requires that expired medications be packaged and kept separate and apart from unexpired medications until disposal of such medications. Dr. Vance violated this regulation in her role as the Hospital's responsible veterinarian by allowing expired medications to be stored with non-expired medications in the working stock of the Hospital at which she serves as the responsible veterinarian and by actually administering expired rabies vaccines to patients.

8. COMAR 15.14.01.10A (Record Keeping) requires, for a companion pet animal, that a veterinarian prepare a legibly written record that accurately and thoroughly reflects the treatment provided, including the progress and disposition of the case. Dr. Vance violated this standard in preparing the medical record for the six patients who received expired rabies vaccines.

9. An adequate rabies certificate must include all necessary elements required under other laws and regulations. The Maryland Department of Health ("MDH") has promulgated regulations establishing additional requirements for completing rabies certificates. COMAR 10.06.02.10D(3) provides that a veterinarian administering a rabies vaccine to an animal shall prepare a certificate that contains the following:

- Vaccine manufacturer and lot or serial number;
- Date the vaccination was given;
- Date the next vaccination is due by;
- Signature of the veterinarian and the date the rabies certificate was signed;
- Veterinarian's name, address, telephone number, and veterinary license number legibly stamped, typed, or printed;
- Owner's name, address, and telephone number;
- Rabies tag number; and
- Animal's species, age, weight, predominant breed, and color.

COMAR 10.06.02.10D(3).

10. Dr. Vance violated the Board's record keeping regulations when she failed to include information required by MDH in the rabies certificates, including the lot number and expiration dates for each vaccine.

Taking all the facts and circumstances into consideration, including the nature of the violation, the veterinarian's lack of disciplinary history involving expired medications, her prompt efforts to re-vaccinate those


patients to received expired vaccines, and the veterinarian's good faith effort to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution in this matter was a civil penalty only.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 8th day of April 2022, by the State Board of Veterinary Medical Examiners, **ORDERED** that:

- a. For violating Md. Code Ann., Agric. § 2-310(8) and COMAR 15.14.01.12-3C (Expired Medications), Kristen R. Vance, DVM, License No. 6080, the responsible veterinarian at Homeward Bound Mobile Veterinary Services (License No. 12-00338), shall pay a civil penalty of \$300;
- b. For violating COMAR 15.14.01.10A (Record Keeping) by not including required information in rabies certificates issued for vaccinated patients, Dr. Vance shall pay a civil penalty of \$300;
- c. Dr. Vance shall pay the total civil penalty (\$600) within thirty (30) days of the date of this Order. Payment shall be by check payable to the Maryland Department of Agriculture ("MDA") with the notation "SBVME 22-73" and mailed to the MDA at 50 Harry S. Truman Parkway, Annapolis, MD 21401;
- d. The Board acknowledge that the civil penalty was paid in full by check received on April 8, 2022; and
- e. This is a public order.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

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Elizabeth Callahan, DVM
President